

### **REMARKS**

#### **A. Status of the Claims / Claim Amendments**

Claims 1-23 were previously canceled and remain canceled.

Claims 24-49 were rejected based on various Secs. 112, 102(b) and (e) and 103(a) grounds.

Claims 29-30, 34-36, 39-41 and 47-49 were rejected on the ground of nonstatutory obviousness-type double patenting over certain claims in U.S. Patent No. 7,211,334.

In addition, the Office Action objected to certain informalities in the Specification.

The Office Action also noted that the references cited in the International Search Report in the corresponding PCT application had not yet been formally made of record in this application.

In this Amendment and Response, Claims 24-49 have been canceled. New Claims 50-54 have been added. No new matter has been added. As explained below, the subject matter of new Claims 50-54 is fully supported by the original application.

#### **B. Support for New Claims 50-54**

New Claims 50-54 focus on the embodiment of this invention wherein an electroluminescent compound in accordance with this invention is utilized as an electroluminescent layer in an electroluminescent device. This invention embodiment is supported by various parts of the original application, particularly at page 5, lines 9-11; at page 23, line 4 to page 24, line 16; as well as in the original claims.

New Claims 50-54 also focus on two particular electroluminescent compounds according to this invention as the electroluminescent layer of the device. The first of the two

electroluminescent compounds as recited in Claim 50 (and also in Claim 51) is based on Examples 4 and 7 of the application at page 19, line 15 to page 20, line 16 and page 22, lines 9-18, and also on Device 1 as described at page 23, lines 10-13. The second of the two electroluminescent compounds as recited in Claim 50 (and also in Claim 52) is based on Examples 6 and 8 of the application at page 22, lines 3-7 and page 22, line 19 to page 23, line 3, and also on Device 3 as described at page 23, lines 18-20.

New Claim 53 is directed to the invention embodiment wherein the electroluminescent device of Claim 50 further includes a hole transport layer comprising  $\alpha$  - NBP. This invention embodiment is supported by various parts of the original application, particularly at page 6, line 16 to page 12, line 11; at page 23, lines 10-14; as well as in the original claims, and also based on Devices 1 and 3 as described at page 23, lines 10-20.

New Claim 54 is directed to the invention embodiment wherein the electroluminescent device of Claim 50 further includes an electron transport layer comprising aluminum quinolate. This invention embodiment is supported by various parts of the original application, particularly at page 12, lines 13-25; at page 23, lines 10-14; as well as in the original claims, and also based on Devices 1 and 3 as described at page 23, lines 10-20.

### **C. Information Disclosure Statement**

An Information Disclosure Statement (IDS) including each of the references cited in the International Search Report is being filed separately but on the same date as this Amendment and Response. A copy of that IDS is enclosed with this Amendment and

Response. None of the references cited in the IDS is believed to have any relevance to new claims 50-54 now pending.

**D. Objection to the Specification**

In response to the objection to the Specification at pages 2-3 of the Office Action, the Specification has herein been amended to delete the sentence at page 2, lines 1-2 of the application. Applicants respectfully submit that this amendment obviates this objection.

**E. Sec. 112 Rejections**

Claims 25, 27-28, 30, 32-33, 36, 38 and 47-49 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite in various respects.

All of these claims have now been canceled. Applicants respectfully submit that new Claims 50-54 now pending do not raise any of these or any other Sec. 112 issues.

**F. Sec. 102 Rejections**

Claims 24-31 and 33-49 were rejected under 35 U.S.C. §102(b) or §102(e) as being anticipated by various references.

All of these claims have now been canceled. Applicants respectfully submit that new Claims 50-54 now pending do not raise any of these or any other Sec. 102 issues.

**G. Sec. 103 Rejections**

Claims 29, 30, 32, 34-36, 39-41 and 47-49 were rejected under 35 U.S.C. §103(a) as being unpatentable over various references and combinations of references.

All of these claims have now been canceled. Applicants respectfully submit that new Claims 50-54 now pending do not raise any of these or any other Sec. 103 issues.

Furthermore, the Examiner's attention is respectfully directed to international patent publication WO 02/20692, cited in the International Search Report and in the IDS accompanying this Amendment and Response. This reference teaches away from the use of photoluminescent compounds having a co-ligand structure (as with the presently claimed compounds) in electroluminescent devices because "their presence can lead to poor reproducibility of the electroluminescence of [such] devices."

#### **H. Double Patenting**

Claims 29-30, 34-36, 39-41 and 47-49 were rejected on the ground of nonstatutory obviousness-type double patenting over various claims of U.S. Patent No. 7,211,334.

All of these claims have now been canceled. Applicants respectfully submit that new Claims 50-54 now pending do not raise any of these or any other double patenting issues.


Application Serial No. 10/537,315  
Amendment and Response

PATENT  
Attorney Docket No.: LUC-012

**SUMMARY AND CONCLUSIONS**

For all of the foregoing reasons, Claims 50-54 are in condition for allowance and an early notice thereof is earnestly requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David Silverstein", written over a horizontal line.

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